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Attorneys for the Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BONNIE SWADLING,

Plaintiff,

vs.

**STATE OF NEVADA DEPARTMENT
OF CORRECTIONS,**

Defendant.

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) **Case No. 2:15-CV-1588-APG-PAL**
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**PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO FILE AMENDED COMPLAINT**

(FIRST REQUEST)

Pursuant to Federal Rule of Civil Procedure ("FRCP") 6(b)(1)(A), Plaintiff, by and through undersigned counsel, respectfully requests that the Court extend by 2-business days, or until this Friday (June 3, 2016) the time within she must file an Amended Complaint. This is Plaintiff's first request for an extension of time for the purpose set forth herein.

In support of this motion, Plaintiff relies upon the memorandum of points and authorities set forth below.

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MEMORANDUM OF POINTS AND AUTHORITIES

Federal Rule of Civil Procedure 6(b)(1)(A) permits a party to seek an extension of a deadline prior to its expiration upon a showing of “good cause.” In this case, good cause exists to grant this motion.

The Court held a hearing on Defendant’s motion to dismiss (Pacer #11) and Plaintiff’s motion to amend her Complaint (Pacer #18) on May 18, 2016. At that hearing, the Court granted Defendant’s motion to dismiss the individual defendant from this case and Plaintiff’s age discrimination claim. However, the Court also granted Plaintiff leave to amend her Complaint to provide greater factual detail regarding her claims of retaliation/hostile work environment and gender discrimination.¹ The Court permitted Plaintiff to and until June 1, 2016 to file an Amended Complaint. The Court further expressed its expectation that counsel for the respective parties should confer in good faith prior to the filing of the Amended Complaint in order to avoid further disputes that could otherwise be avoided by mutual agreement.

Plaintiff’s counsel has finalized drafting an Amended Complaint. However, counsel for the parties have not had an opportunity to discuss it. Plaintiff’s counsel has forwarded a copy of the Amended Complaint to counsel for Defendant, Tyler J. Watson, Esq. In order to provide Mr. Watson a meaningful opportunity to review the pleading and sufficient time for the parties to discuss the matter, undersigned counsel respectfully requests that the Court extend Plaintiff’s time, by 2-business days, to file the Amended Complaint no later than this Friday (June 3, 2016).

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¹ Plaintiff intends to abandon her gender discrimination claim and focus this litigation upon her retaliatory hostile work environment claim. This will simplify the factual and legal issues in this case.

CONCLUSION

Based upon the foregoing, undersigned counsel respectfully requests that the Court grant this motion.

Respectfully submitted,

/s/ Paul S. Padda

Paul S. Padda, Esq.

Attorney for Plaintiff

Dated: June 1, 2016

IT IS SO ORDERED:

Plaintiff's motion for extension of time to file an Amended Complaint in Bonnie Swadling v. State of Nevada Department of Corrections, 2:15-cv-1588-APG-PAL is hereby granted. Plaintiff's Amended Complaint, as permitted by this Court's May 18, 2016 ruling, shall be filed on or before June 3, 2016.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

DATED: June 2, 2016

CERTIFICATE OF SERVICE

In compliance with the Court's Local Rules, the undersigned hereby certifies that on June 1, 2016 a copy of the foregoing document, "PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE AMENDED COMPLAINT" was served (via the Court's CM/ECF system) upon all counsel of record.

/s/ Paul S. Padda

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